

FILED
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U.S. District Court, EDNY
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Brooklyn Pro Se Office via
Box.com

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

*Rec in p drive 3/18/22 rg

BRAINWAVE SCIENCE, INC.,

Plaintiff,

vs.

ARSHEE, INC., DR. LAWRENCE A. FARWELL
DR. THIERRY MAISON AND BRAIN
FINGERPRINTING FOUNDATION,

Defendant

Civil Action No.: 21-cv-4402 (BMC)


Affidavit of Dr. Thierry Maison in response to Order of
December 13, 2021.

Dr. Thierry Maison, being duly sworn, declares under penalty of perjury as follows:

- 1) I, Thierry Maison, submitting this Affidavit establishing that I have complied with the presently imposed preliminary injunction and I have a plan in place to retain all records related to this litigation.
- 2) Said preliminary injunction stated as follows:
 - a) Defendants must take any commercially-practicable actions to recall or replace any software containing plaintiff's "confidential or proprietary information" from third parties;
 - b) Defendants must not sell or transfer plaintiff's "confidential or proprietary information;"
 - c) Defendants must not use plaintiff's "confidential or proprietary information" in any software update or product demonstration; and
 - d) Defendants must provide to the plaintiff, at the plaintiff's sole expense, a report from an independent third party confirming that any P300-related software demonstration, sale, update, or transfer by defendants does not include the plaintiff's "confidential or proprietary information."
- 3) I am complying with the above provisions in the following ways.
 - a) I was not involved in any business transactions related to or with the plaintiff's proprietary information and acted solely as a software developer to Dr. Lawrence Farwell.
 - b) I was never remunerated for those efforts.
 - c) The product of any code compilation (the software program) was transmitted exclusively to Dr. Lawrence Farwell and nobody else.

- 1 d) That any development activities ceased at the beginning of this case, that no software updates or corrections
2 were executed since, and the software may not be functional at this time due to Microsoft Windows
3 updates.
- 4 e) That access to the online code repository was granted to the plaintiff's attorney of reference.
- 5 f) That ownership of the code repository can be transferred to the plaintiff's attorney on his request.
- 6 g) I have not sold or transferred personally any software that contains "plaintiff's proprietary information,"
7 and will not do so.
- 8 h) That any future developments on Electro Encephalogram-related (EEG) software will not contain any
9 plaintiff's proprietary information.
- 10 4) Regarding retaining all records related to this litigation have been archived and placed in a Google Drive
11 location accessible to the plaintiff's attorney.

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13 Dated this 11 of March 2022.



14 Thierry Maison

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